

**REMARKS**

Claims 1-23 were examined. In this Office Action, the pending claims 1-8, 10-23 were rejected under 35 USC 102(e) as being anticipated by Ellis et al (US Patent Application Publication No.: 20040149988, hereinafter "Ellis"), and Claims 9 was rejected under 35 USC 103(a) as being unpatentable over Ellis in view of Goode et al (US Patent No.: 6,166,730, hereinafter "Goode").

The Examiner is appreciated for withdrawing the finality of the previous Office Action. In the forgoing amendments, independent Claims 1, 12, 15 and 18 have been amended to further distinguish from the cited reference. No new matter has been added. Reconsideration of Claims 1-23 is respectfully requested in view of the following remarks.

**Claim 1**

In particular, as amended, a new limitation in Claim 1 is recited as follows:

creating an index containing a date, a time, a starting address, and an ending address, wherein the date and the time indicate when the pause request was made from the particular one of the client machines, the starting address is determined by the date and the time indicating a starting location of the particular one of the broadcasted programs to be retained, and the ending address indicates the ending location of the particular one of the broadcasted programs in the local storage; (emphasis added)

The new recited features are supported in FIG. 3B and corresponding descriptions thereof in lines 17-27 of page 13 in the Specification of the application. It is emphasized that the new limitation requires both starting address and ending address of a retained broadcasted program.

In contrast, Ellis is directed to an interactive television program guide system (see abstract). Ellis discloses "Recorded programs may be referenced by pointers that are maintained in one or more directories. A directory of pointers for each user, for example, may be stored in memory 13 or RAID 55. User directories may also be maintained locally by the program guides. An illustrative arrangement for user directories and other directories is shown in FIG. 4" (see [0082]). Ellis further

teaches "Illustrative entries 121 in job queue 120 are also shown in FIG. 5. The entries 121 may include, for example, the dates, start times, end times (or durations), channels, and program identifiers for the programs that have been selected for recording on remote media server 24" (see [0087]). **Ellis is silent about ending address of a recorded program as evident in Figs. 4 and 5.**

Since Claim 1 now recites a new limitation that is not disclosed, taught, nor suggested by Ellis, Applicants believe Claim 1 shall be allowable over the cited reference. Reconsideration of Claims 1 is respectfully requested.

#### **Claims 15 and 18**

Independent Claims 15 and 18 incorporate similar features recited in Claim 1 and were also rejected for the similar reasons as for Claim 1. Applicants wish to apply the above remarks to support amended Claims 15 and 18. Reconsideration of claims 15 and 18 is respectfully requested.

Claims 2-14 are dependent on Claim 1, Claims 16-17 are dependent on Claim 15, Claim 19-23 are dependent on Claim 18, and contain additional limitations that further distinguish them from Ellis or Goode, viewed alone or in combination. Therefore, Claims 2-14, 16-17, and 19-22 shall be allowable for at least the same reasons stated above with regard to independent Claims 1, 15 and 18.

#### **Claim 12**

Further, Claim 12 has been amended to cite the limitation: **"wherein the location is a telephone number"**. Examiner's rejection is "Ellis shows the use of TCP/IP protocols to transmit data, which suggest using an IP address (page 4 section 0070, page 9 section 0107, page 18 section 0188)". There is no teaching about a telephone number in Ellis. Therefore, the Applicants respectfully submit that the amended Claim 12 shall be allowable over Ellis.

**Summary**

In summary, none of the cited references, viewed alone or in combination, have taught or suggested the combined features recited in the pending claims. In view of the above amendments and remarks, Applicants believe that amended Claims 1-23 shall be in condition for allowance over the cited references. Early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)255-6853.

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Fax. No. 703-872-9306 on the date stated below.

Date: May 9, 2005

Signature: /Roger H. Chu, Reg.# 52745/  
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Respectfully submitted;

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